

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE : G. BIKSHAPATHY

AND

THE HON'BLE MR JUSTICE : B.SESHASAYANA REDDY

WRIT PETITION NO : 12061 of 2004

Between:

- 1 Syed Abid Hussain S/o Syed Moinul Hussain
Gr.II Hindi Pandit, Govt. Bhagath Sigh Upper Primary School, Old

Mallepally, Hyderabad

- 2 Afroz Jahan D/o Mohd Hussain Khan

Gr.II Hindi Pandit, Govt. Boys High School, Chanchalguda

Hyderabad.

- 3 Md. Hassan S/o Md. Adbul Jaleel,
Gr.II Urdu Pandit, Govt. Girls High School (New) Mosarambagh,

Hyderabad

..... PETITIONERS

AND

- 1 The Government of AP. rep. by its Secretary, Education Department,

Secretariat, Hyderabad.

- 2 The Commissioner and Director of School Education, A.P. Hyderabad.

- 3 The District Educational Officer, Hyderabad.

- 4 The Pay and Accounts Officer, Nampally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of Certiorari calling for the records pertaining to impugned judgment dt. 18/06/2002 in O.A.No.4050/2001 read with Judgment dt. 13/06/2002 in O.A.No.377/2001 and batch on the file of A.P. Administrative Tribunal, Hyderabad and quash the same in so far as the petitioner herein is concerned and consequently declare the G.O.Ms.No.176 Education dt. 22/12/2000 as null and void and further declare that the petitioners are entitled for up gradation to the post of Gr.I Pandit in terms of G.O.Ms.No.330 dt. 10/08/1983 dehorse the cut off date ie., 11/03/1982 by extending the benefit of Judgment dt. 17/08/1989 in R.P.No.2158/1986 and G.O.Rt.No.644 Education dt. 07/12/2000 as was extended to other similar situated persons including juniors with all consequential benefits and by holding the action of the respondents in not extending the benefit of Up gradation to the petitioners on par with similarly situated persons without any valid reason or justification is illegal, arbitrary, discriminatory and subversive of Article 14 and 16 of the Constitution of India.

Counsel for the Petitioners : Mr.CH.JAGANNADHA RAO

Counsel for the Respondents : THE ADVOCATE GENERAL

The Court at the stage of admission, made the following :

ORDER: (per the Hon'ble Sri Justice G.Bikshapathy)

It is submitted by the learned counsel for the petitioners that the writ petitions are covered by the decision of this Court in W.P.NO.26260 of 2000 and batch dated 12.9.2003.

In view of the submission and following the ratio in the above judgment, this writ petition is disposed of in terms of the order referred to above. A copy of the order in W.P.No.22260 of 2000 and batch shall be annexed to this order. No costs.

G.BIKSHAPATHY, J

B.SESHASAYANA REDDY, J

Dated: 15th July 2004.

DA/TSY

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To

- 1 The Secretary, Government of A.P., Education Department,
Secretariat, Hyderabad.
- 2 The Commissioner and Director of School Education, A.P. Hyderabad.
- 3 The District Educational Officer, Hyderabad.
- 4 The Pay and Accounts Officer, Nampally, Hyderabad.
- 5 Two CCs to the Advocate General, High Court of A.P., Hyderabad.
- 6 Two CD copies.